

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17330 of 2024

Arising Out of PS. Case No.-757 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Kundan Kumar SON OF Ramesh Choudhary RESIDENT OF VILLAGE-
BINDGAMA TAKIA CHOWK, PS- SHAHPUR PATORI (MOHANPUR
OP), DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh
For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 218-03-2024
1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 20 litres of liquor from the hut of the petitioner. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is also submitted that the police in a mechanical manner without verifying the facts correctly implicated the petitioner in order to save the real culprit, when the hut from where the alleged



recovery was made does not belong to the petitioner and he came to be implicated at the instance of local people but then the name of the person who disclosed the name of the petitioner is not mentioned in the F.I.R., which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Patori (Mohanpur O.P.) P.S. Case No.757/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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